

## United States Department of the Interior

## OFFICE OF SURFACE MINING

Reclamation and Enforcement

P.O. Box 46667

Denver, Colorado 80201-6667

IN REPLY REFER TO:

July 6, 2006

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UT-0065

JUL 10 2006

DIV. OF OIL, GAS &amp; MINING

Utah Division of Oil, Gas, & Mining  
Coal Regulatory Program  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

RE: Savage Services Corporation "Savage Coal Terminal" - Application for a Permit Revision, Restart of Preparation Plant, Task ID No. 2549

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) June 28, 2006, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Restart of Preparation Plant, has determined that it proposes to revise the text of the approved permit application package to discuss the operation of the preparation plant, to address previously submitted permit revisions required for the restart, and to address the construction of three additional thirty-six inch conveyors at the Savage Coal Terminal, Utah State permit C/007/022.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.18(d). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Restart of Preparation Plant, with other Federal agencies for compliance with other Federal regulations.

OSM also electronically transmitted the June 28, 2006, request to the Bureau of Land Management and the U.S. Forest Service for their review and comment.

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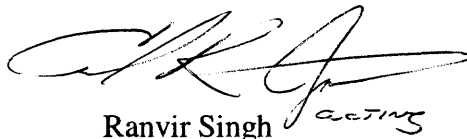
In an electronic submittal dated June 29, 2006, the U.S. Forest service stated it had no comments or concerns with the permit revision.

In an electronic transmittal dated July 5, 2006, the Bureau of Land Management stated in its opinion the permit revision did not constitute a mining plan action requiring Secretarial approval.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ranvir Singh', with the word 'ACTING' written in smaller letters below the signature.

Ranvir Singh  
Manager, Northwest Branch

cc: BLM - Utah State Office  
BLM - Price Field Office  
USFS - Manti-La Sal NF  
Denver Field Division